

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: WELLBUTRIN XL ANTITRUST
LITIGATION

Case No. 2:08-cv-2431 (direct)

THIS DOCUMENT RELATES TO:

Hon. Mary A. McLaughlin

DIRECT PURCHASER ACTION

**DIRECT PURCHASER PLAINTIFF'S UNOPPOSED MOTION FOR FINAL
APPROVAL OF SETTLEMENT WITH BIOVAIL DEFENDANTS**

Direct purchaser plaintiff Professional Drug Co., Inc. respectfully moves for an order and judgment pursuant to Fed. R. Civ. P. 23 and 54:

(a) finally approving the proposed settlement of this action for \$37.5 on the terms set forth in the Settlement Agreement between plaintiff and defendants Valeant Pharmaceuticals International, Inc. f/k/a Biovail Corp., Biovail Laboratories, Inc., and Valeant International Bermuda f/k/a Valeant International (Barbados) SRL f/k/a Biovail Laboratories International SRL (collectively, "Biovail") (attached as Exhibit 1 to the Direct Purchaser Plaintiffs' Memorandum of Law in Support of Unopposed Motion for Preliminary Approval of Settlement with Biovail Defendants, Dkt. No. 467-1);

(b) approving the proposed Plan of Distribution of the settlement proceeds, net of any awards of attorneys' fees, expenses and incentive awards (attached as Exhibit 1-2 to the Direct Purchaser Plaintiffs' Memorandum of Law in Support of Unopposed Motion for Preliminary Approval of Settlement with Biovail, Dkt. No. 467-1-2); and

(c) dismissing all claims against Biovail *only*, and releasing Biovail on behalf of the plaintiff and the certified class for all claims, regardless of legal theory, relating to Wellbutrin

XL and/or its generic versions, that were or could have been asserted in this action, as further set forth in the settlement agreement.

The settlement is an excellent result for the certified class as described more fully described in the accompanying memorandum.

Dated: October 24, 2012

Respectfully submitted,

/s/ David F. Sorensen

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CERTIFICATE OF SERVICE

I hereby certify that I have this day filed and served through the Court's ECF system a true and correct copy of the foregoing.

/s/ Thomas M. Sobol

Thomas M. Sobol